

**RIO DELL CITY COUNCIL
REGULAR MEETING
APRIL 17, 2018
MINUTES**

The regular meeting of the Rio Dell City Council was called to order at 5:30 p.m. by Mayor Wilson.

ROLL CALL: Present: Mayor Wilson, Mayor Pro Tem Johnson, Councilmembers
Garnes, Marks and Strahan

Others Present: City Manager Knopp, Finance Director Woodcox, Community
Development Director Caldwell, Chief of Police Conner,
Water/Roadways Superintendent Jensen, Wastewater
Superintendent Trainee Purvis, City Clerk Dunham and City
Attorney Gans

ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:

Employee Negotiations (Pursuant to §54957.6) Conference with Labor Negotiator: City
Manager – Employee Organizations: Rio Dell Police Officers Association, Rio Dell Employees
Association and Contract Employees

The Council adjourned into closed session with City Manager Knopp and City Attorney Gans at
5:30 p.m.

The Council reconvened into open session at 6:30 p.m.

City Attorney Gans left the meeting at this time.

Mayor Wilson announced there was no reportable action taken in closes session.

PUBLIC PRESENTATIONS

Nick Angeloff provided a brief update on Chamber of Commerce activities and events and
announced that the Chamber may be moving from their current location to 440 Wildwood Ave.
He indicated that they would have a definite decision by the end of the month. He also
reported that the gentlemen that he mentioned at the last meeting who expressed interest in
locating their business here for medical cannabis research are currently out of the country
(Africa) so he had not yet arranged for them to come and provide a presentation to the Council.

Cheryl Short reported an issue involving graffiti on the green box by Eagle Prairie Bridge.

CONSENT CALENDAR

Councilmember Strahan removed Item 6 from the consent calendar for separate discussion.
Mayor Wilson also removed Items 2, 3 and 4.

Motion was made by Johnson/Garnes to approve the remaining consent calendar items including approval of the minutes of the April 3, 2018 regular meeting and cancellation of the bid for 2018 City Hall Improvements and rescheduling it for the fall of 2018 pending budget approval for FY 2018/19. Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Approve Resolution No. 1382-2018 Designating Projects to be Funded by Senate Bill (SB 1) Road Maintenance and Rehabilitation Account (RMRA) During FY 2018/19

Mayor Wilson referred to the spreadsheet submitted with the staff report and asked for clarification that the additional streets funding through SB-1 would be used for potholes and general maintenance.

Finance Director Woodcox explained that under SB-1, the City must make citizens aware of the projects proposed for funding and which projects have been completed each fiscal year including general repairs and maintenance. She said for this year the estimated \$57,241 will be used for general streets maintenance and repairs citywide including potholes, sweeping, storm drain, etc.

Mayor Wilson called for public comment on the proposed resolution; no public comment was received.

Motion was made by Wilson/Johnson to approve *Resolution No. 1382-2018 Adopting a List of Projects for Fiscal Year 2018-19 Funded by SB-1: The Road Repair and Accountability Act of 2017*. Motion carried 5-0.

Approve Resolution No. 1383-2018 Opposing the Tax Fairness, Transparency and Accountability Act of 2018

Mayor Wilson said he wanted to make the public aware of the implications of the proposed ballot measure and explained that it would change the rules for how the state and local governments can impose taxes, fees and other charges. He said tax measures would be limited to specific taxes rather than general taxes and would have severe impacts on the City regarding raising revenue to address the needs of the community and much needed infrastructure improvements. He noted that the League of California Cities has opened a campaign to oppose this act.

Mayor Wilson called for public comment on the proposed resolution. No public comment was received.

Motion was made by Wilson/Johnson to approve *Resolution No. 1383-2018 Opposing the Tax Fairness, Transparency and Accountability Act of 2018*. Motion carried 5-0.

Approve Letter Opposing AB 1912 Joint Powers Authority Pension Liability and Authorize Mayor to Sign

Mayor Wilson explained that Assembly Bill (AB) 1912 relates to retirement liabilities of Joint Powers Authorities (JPA's) and if this bill became law it would essentially make the City liable for CalPERS failure and make the City incur debt for all retirement related obligations as members of JPA's. He noted that the debt would be significant and could actually exceed the City's annual revenue, which would be devastating to the City. He said should this bill pass, the City would need to consult legal counsel to see how to get out of all JPA's as this would virtually bankrupt the City.

He called for public comment on the proposed resolution. No public comment was received.

Mayor Pro Tem Johnson noted that he currently serves on the Humboldt County Association of Governments (HCAOG) Board as the City's representative and they recently had an audit and as a member of CalPERS with five (5) permanent employees HCAOG's unfunded liability is close to \$80,000 for one year.

Mayor Wilson commented that the City is not a member of CalPERS and has no unfunded pension liability yet could be burdened with millions of dollars of liabilities with passage of this bill.

Motion was made by Wilson/Johnson to approve a letter opposing AB 1912 Joint Powers Authority Pension Liability and authorize the Mayor to sign. Motion carried 5-0.

Receive and File Check Register for March 2018

Councilmember Strahan questioned Check No. 6746 to Wendt Construction for Edward Dr. storm damage repairs.

City Manager Knopp explained that the storm damage was from a recent culvert failure. He said the City Engineer assessed the situation and recommended it be fixed immediately because it poses a threat to the rest of the City's infrastructure in that area including the water line and possibly the sewer line.

Motion was made by Strahan/Johnson to receive and file the check register. Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager/Staff Update

City Manager Knopp referred to the staff update provided in the Council packet and said that staff was available to answer any questions the Council may have.

Mayor Wilson commented that after the discussion at the last meeting regarding the Eagle Prairie bridge closure he reached out to various agencies and found out that there is nothing that can be done. He encouraged everyone to do what they can to support the local restaurants and other downtown businesses during the next few months of construction.

SPECIAL PRESENTATIONS/STUDY SESSIONS

Presentation from State Regulators on Drinking Water and Wastewater – Ronnean Lund, State Water Resources Control Board and Cathleen Goodwin, North Coast Regional Water Quality Control Board

City Manager Knopp said that staff invited the State's regulators on drinking water and wastewater who work closely with the City to provide a short presentation about the City's responsibilities related to regulatory compliance. He introduced Ronnean Lund, Sanitary Engineer with the State Water Resources Control Board, Division of Drinking Water and Cathleen Goodwin, Water Resources Control Engineer with the North Coast Regional Water Quality Control Board. (NCRWQCB).

Cathleen Goodwin began by providing an overview of the power point presentation provided in the Council packet including the roles and responsibilities of the Regional Water Quality Control Board and the laws they are required to implement. She said as a regulator, compliance is a very important part of her job and that she would much rather offer assistance to municipalities than have to bring violations back before her Board. She noted that she was assigned to Rio Dell in the fall of 2015 and shortly after that, she began working with the City on the NPDES Permit renewal process. She said the purpose of the permit is to insure proper design, operation and maintenance of the City's Wastewater treatment plant, collection system and storage and disposal facilities and noted that the permit is specific to Rio Dell. It also addresses effluent limitations, discharge prohibitions, source control provisions, sludge handling and disposal, operator certification, and monitoring and reporting requirements.

She pointed out that shortly after she began working on the permit renewal process; she learned that the City had two (2) major accomplishments during the current permit term. The first was in 2013 with the upgrade of the outdated wastewater treatment plant facility with an updated state-of-the-art system with technics to meet state requirements and the ability to remove most of the nitrogen from wastewater, which is huge as far as the protection of the Eel River. The other large accomplishment was elimination of the percolation ponds and discharge to the river with inclusion of a land disposal site.

She said that as she worked on the permit she identified some new issues that were addressed in the permit. The first of those was related to the chlorine disinfection system noting that the monitoring data that was collected had high levels of chlorine disinfection by-products, which are chemicals that are formed when chlorine comes in contact with organics that are present in wastewater and algae. She said she immediately let staff know that it would be an issue addressed in the permit.

She said another challenge was related to the collection system with excess water getting in through storm water, through ground water infiltration and possibly illicit connections. (I & I). She noted that these were the two biggest issues addressed in the permit. She said another

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problem the City has had in the past has been in retaining trained, qualified wastewater operators however; the current staff is motivated, conscience and works hard to achieve overall compliance.

She further explained that the Water Quality Control Board approved the permit with a Time Order Schedule (TOS) to give the City time to address these issues. She added that she worked with staff to try to establish compliance schedules that work for the City and to not require anything that was over ambitious or impossible to meet.

Mayor Pro Tem Johnson questioned the time schedule order to improve the chlorination system and collection system.

Ms. Goodwin said that she worked with staff to dial down the chlorine levels and the monitoring data reflects reduced levels. She noted that the expectation is that the City will be able to achieve compliance through operations and if not, they will evaluate other options. She said that the City has until October 31, 2022 to come into compliance although the code allows for an additional 5-year extension if the City can demonstrate they are working toward achieving compliance.

She said regarding the collection system, it is a much more general work plan. She said once the City identifies a work plan to address the City's aging collection system and I & I issues they will need to provide the Water Quality Control Board with a schedule to complete the tasks. She noted that a large part of the permit is operation, maintenance and monitoring of the facility but the cost of compliance is also considered so they also look for redundant procedures. She said one of the things that were changed is the frequency of tests, which is one of the areas where they have some flexibility.

City Manager Knopp commented that the City did go through a very rigorous permit process and staff feels very confident that the NPDES Permit has been well vetted.

Mayor Pro Tem Johnson pointed out that a lot of people swim in the Eel River and asked if Scotia CSD's permit is a mirror image Rio Dell's.

Ms. Goodwin commented that in 2011 or 2012, Lisa Bernard from their office wrote both Rio Dell and Scotia's permit so she would imagine she took into account consistency between the two systems. She indicated that Scotia is starting through their permit process and because she is not writing their permit, she talked to the person in her office that is and asked him to allow her to be part of the process to make sure it is consistent noting that he is very aware of the City's concerns. She pointed out that there are going to be somewhat different requirements due to different treatment systems but since they are both secondary treatment facilities, she would expect Scotia CSD would be required to take the same steps towards compliance as Rio Dell. She said this is of high priority to her and encouraged the City Council to be involved in the renewal process. She said as the permit is written and comes out for public comment, it is very appropriate for the City to look at it and express any concerns.

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Mayor Pro Tem Johnson pointed out that both Scotia and Blue Lake have breweries so they have big demands for oxygen noting that their BOD is probably 50-100 times greater than what is allowed in Rio Dell and asked if that is equitable. Also, Blue Lake has an infiltration pond by the river whereas; Rio Dell had to eliminate the use of their percolation ponds approximately 5 years ago and said as a Council they just want to make sure everyone is on a level playing field. He added that he is getting the feeling that it is not level.

Ms. Goodwin commented that there are a number of inconsistencies such as there are more leniencies with regard to the dairy industry. She said with regard to Blue Lake, she is not sure why they are still allowed to use percolation ponds but since they don't discharge to surface waters they are in a different unit. She indicated that she does coordinate with those folks to make sure there is consistency among the different agencies.

Mayor Pro Tem Johnson asked if Humboldt Creamery is under NPDES permit regulations and if they discharge to the river.

Ms. Goodwin stated that the Creamery is under a NPDES permit and has the ability to discharge to the river but doesn't believe they do. She indicated that she would be happy to take the City's concerns regarding inconsistencies among the various agencies back to the office and have them addressed.

Mayor Pro Tem Johnson asked what she sees on the horizon for Rio Dell.

Ms. Goodwin said the two issues are the chlorination system and collection system. She noted that the City may have to look at its effluent as recycled water use because it is being applied through a land application process for crop production and apply some of those requirements that apply to recycled water. This involves having to develop a Title 22 Engineering Report to document that the City is meeting all of the state requirements. She said they are still processing how that would apply to Rio Dell. Beyond that, she said there might be some additional monitoring requirements. She commented that the Eel River is on the list of impaired rivers as far as aluminum content and reviewed potential things that could cause changes in monitoring requirements.

Mayor Pro Tem Johnson mentioned the recent sanitary sewer overflow that occurred in the city (Rigby Ave.) and asked if the Water Board took any action.

Ms. Goodwin indicated that it is being evaluated but no action has been taken at this time.

Councilmember Garnes commented that Rio Dell is under junior water rights and during the drought were restricted to limited water usage even though there was plenty of water whereas; the Town of Scotia and the City of Fortuna were not held to those same restrictions because they have senior water rights. She asked if there is any way to make that equal regardless of who has which type of water rights.

Ms. Goodwin said that she doesn't deal with water rights issues but she would be happy to get the City in touch with the appropriate person that does.

Mayor Pro Tem Johnson commented that the City of Ferndale built the same Aeromod treatment plant as Rio Dell except on a smaller scale noting that the City's permit requirements are dilution of 100 to 1 during the winter; Ferndale's dilution factor is 1 to 1. He asked how that is possible.

Ms. Goodwin explained that there is a provision in the Basin Plan that requires that all discharges to surface waters be limited to 1% of the flow of the surface water unless the discharger goes through a process as outlined in the Basin Plan to demonstrate that there is cause for the Regional Board to consider the ability to discharge a higher amount of discharge than the limitation allows.

She said Ferndale had an older pond system that was not meeting state requirements so they decided to upgrade their wastewater treatment plant. She said they also recognized that based on the way the Salt River worked, that they would never be able to meet the 1% discharge limitation. As such, they went through a very detailed technical evaluation and had to demonstrate that they were designing a plant that would provide a much higher level of treatment (referred to as tertiary system). With the Aeromod System, they included a filtration system so they are generating a very high level of effluent they are discharging to the Salt River system. She noted that the Basin Plan does allow for that if that were something Rio Dell would like to consider in the future.

Mayor Pro Tem Johnson commented that one of the more controversial actions being taken by the County is a proposal on the Mad River upstream from the water intake for Humboldt Bay Municipal Water District, which provides water for approximately 70,000 people in the Humboldt County area. He said the proposal involves a local gravel company looking at putting in cannabis cultivation. He asked if that is something her agency gets involved with as far as writing NPDES permits for cannabis cultivation upstream from a water intake system.

Ms. Goodwin commented that there is a new program dealing with cannabis discharges and anticipated that this would fall under that program.

Ronnean Lund addressed the question and explained that they make these waste discharge requirements that are exhaustive and probably is going to be a year or so before they will have regulations for cannabis facilities because this new unit of people assigned to cannabis activities is not even clear on what the waste stream is for these facilities. She said the industry is all new and all moving too fast. She advised anyone with concerns regarding cannabis by-products going into the waste stream to call the Water Board and try to put the brakes on it until they can figure this whole thing out.

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Mayor Pro Tem Johnson noted that in the summer months, the water taken from the Eel River has a fairly high BOD level going into the treatment plant. He asked if that is a result of Scotia or perhaps failing septic systems upstream.

Ms. Lund said it is likely due to all of the above as well as algae.

Mayor Pro Tem Johnson commented that County Environmental Health is responsible for the septic systems countywide and asked if they were happy with regard to how the County was managing that effort.

Ms. Goodwin indicated that she would need to redirect that question to another division within her office.

Ronnean Lund, Field Staff Engineer for the Division of Drinking Water continued the presentation by providing an outline of what the State Department of Water Resources does and reviewed the key legal obligations of public water systems.

She explained that they were formerly under the Department of Public Health and they weren't as enforcement oriented. Now that they are under the umbrella of the Department of Water Resources, there are compliance orders and fines associated with violations.

She continued with review of the drinking water requirements as they relate to Rio Dell.

She noted that their office is currently working on the update of the City's Water Permit since it was never amended when the new water treatment plant was constructed 10 years ago. She noted that there has also been upgrades to the water distribution system and upgrade of the wells. She commented that the permit renewal is not nearly onerous as the permits from the Regional Board. She noted that the office is also working with staff to make sure the wells are free from potential contamination and said there are different issues with the various sites at the Humboldt Rio Dell Business Park that have to be addressed.

She pointed out that probably the best investment the City can make is having qualified operators to meet compliance requirements and provide safe drinking water to the community. She added that she has a wonderful working relationship with City staff but has always heard that there could be more staff.

Mayor Wilson called for public comment or questions from the public. There were no comments.

Mayor Wilson then thanked them for attending the meeting and their assistance in working with staff to make sure the city is complying with state law with regard to the water and wastewater operations.

Water/Roadways Superintendent Jensen asked what Rio Dell needs to do to prepare for the new regulations.

Ms. Lund commented that there is the 1, 2, 3 TCP test requirement but Rio Dell already performed the test and it came back non-detected. A waiver for future testing was sent in and approved so at this point there is no further testing required.

Community Development Director Caldwell noted that County Environmental Health approved the septic system for the Wendt project and was thankful that Ronnean Lund denied the application and made them relocate the leach field from 150 feet to 250 feet from the wells. He said the Health Department rescinded their approval because he indicated that he would not issue the permit until the Regional Water Quality Control Board was satisfied. He said they are in the process of relocating their leach field hundreds of feet away now. He said it was also suggested by Ronnean that as a condition of approval, they install a monitoring well and it will now be imposed as a condition.

Mayor Wilson commented that the City's drinking water must take precedence over any cannabis activities at the Humboldt Rio Dell Business Park.

Ms. Lund reiterated that they really don't know what will be going into the waste stream as a result of the cannabis activities at the Business Park. She said they will be using solvents and pesticides and other chemicals and they are not clear on how they are going to separate these waste streams. She explained that they are proposing to do onsite sewage disposal systems for the domestic waste (kitchen, bathrooms, and showers) and holding tanks for any other waste. She expressed the importance of the City having a very clear plan that is understood by those

approving it on how these waste streams are going to be separated. She added that ideally the waste should be going to the wastewater treatment plant so it could be handled properly but unfortunately, the City's sewer does not extend to that site. She indicated that the Regional Water Quality Control Board will be working on the permits but it will be a year or so before they are implemented.

Commissioner Woodall pointed out that one of the proposed development sites contains a Brownfield's site.

Community Development Director Caldwell clarified that Rio Dell Holdings must satisfy the Department of Toxic Substance Control (DTSC) before any cannabis activities can occur at that site.

Mayor Wilson called a 5-minute recess at this time, 8:33 p.m.

The Council reconvened at 8:38 p.m.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Consider Sculpture Committee's Recommended Location of the Wendt Eagle Sculpture on City Hall Grounds

Mayor Wilson stated that he concurred with the other members of the Sculpture Committee regarding placement of the Eagle Sculpture at location "C" on City Hall grounds.

Motion was made by Wilson/Johnson to accept the Sculpture Committee's recommended location of the Wendt Eagle Sculpture to be placed on the City Hall grounds at location "C". Motion carried 5-0.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Approve Resolution No. 1384-2018 Awarding Bid for the 2018 Culvert Installation and Repair Project

City Manager Knopp provided a staff report and said this project includes the construction of a new drainage inlet along a portion of Spring Street, exiting at the existing drainage swale north of Bellevue Ave. and as an additive to the project, replacement of the culvert on Pacific and Bellevue Avenues.

He said \$75,000 was appropriated in the FY 2017-2018 budget for drainage repairs. The city received four bids ranging from \$82,000 to \$143,485 and Wahlund Construction Inc. was determined to be the lowest responsible and responsive bidder at \$82,000. He noted that staff is recommending a 20% contingency for a total project amount of \$98,400 which would require a budget adjustment of \$23,400 to complete the project. Staff's recommendation was to award the bid to Wahlund Construction and authorize the budget adjustment from the General Fund Reserves. The alternatives would be to direct staff to reject all bids and reissue the bid, or cancel the project; or eliminate the additive culvert replacement and reduce the award amount by \$18,000.

Councilmember Strahan said she thought the additive culvert work was going to be added to the Active Transportation Plan (ATP)/Safe Routes to School Project. She supported saving the \$18,000 as opposed to taking more funds out of the General Fund Reserves.

Mayor Pro Tem Johnson commented that part of the problem with adding something to the ATP Project is that it would bring the cost of the project up and since the grant funds are already obligated for other things, the extra cost would have to come out of the City's general fund.

City Manager Knopp noted that the additive culvert work could be eliminated and staff could try to incorporate it into the ATP Project but expressed concern that the scope of the ATP Project will be narrowed anyway. He pointed out that the work needs to be done and if it is delayed, it will be more expensive.

Water/Roadways Superintendent Jensen explained that the base is already eroding away so the job needs to be done as soon as possible.

Mayor Pro Tem Johnson questioned the possibility of installing a HTPe liner to avoid tearing up the street.

Water/Roadways Superintendent Jensen said there is the potential to do that but it would be more expensive. He also clarified that this project is outside the boundaries of the ATP Project.

City Manager Knopp explained the goal of the ATP Project is bike lanes and the more the City tries to push it into "an active drainage plan" the more the scope of work is questioned. He pointed out that with this culvert work done, it increases the likelihood to get the area paved.

Councilmember Strahan made the suggestion to get it done and do it right.

Motion was made by Johnson/Garnes to approve Resolution No. 1384-2018 Awarding the Bid for the 2018 Culvert Installation and Repair Project including the Additive Culvert Replacement on Pacific and Bellevue Avenue to Wahlund Construction, Inc. in the amount of \$82,000 including a 20% contingency for a total project amount not to exceed \$98,400, authorizing the City Manager to sign the Notice of Award and Contract Agreement including any change orders within the approved budget amount, and authorizing a budget adjustment of \$23,000 from the General Fund Reserves. Motion carried 5-0.

Approve Resolution No. 1385-2018 Awarding Bid for the 2018 Drainage Ditch Repair Project
City Manager Knopp provided a staff report and said the City received five (5) bids for the drainage ditch repair project ranging from \$2,370 to \$18,840. He noted that Wendt Construction provided the lowest bid and the reason it was significantly lower than the other bids was that they have a nearby disposal site for depositing the debris.

He explained that there are no funds budgeted for this project but when the City annexed this area from the County, it took on responsibility for all the legacy issues including the drainage ditch. He said periodic flooding occurs and as basic maintenance, small basins need to be created to alleviate some of the flooding.

Mayor Wilson asked what part of the budget the money was coming out of.

City Manager Knopp noted that it would be coming out of the City Manager's budget under Contract/Professional Services from funds originally budgeted for the Employee Total Compensation Study.

Mayor Pro Tem Johnson suggested that since the bid came in so low that the City work toward getting everything cleaned out that needs to be cleaned out because it would cost a lot more in the future due to trucking costs.

City Manager Knopp said for now the goal is to get basic cleanup done. He pointed out that as developers do improvements they will be taking care of some of the drainage improvements so he doesn't want to see the City do any unnecessary work at this time.

Motion was made by Johnson/Garnes to approve Resolution No. 1385-2018 Awarding the Bid for the 2018 Drainage Ditch Repair Project to the lowest responsible and responsive bidder, Wendt Construction, Inc. in the amount of \$2,370, authorizing the City Manager to sign the Notice of Award and Contract Agreement and further authorizing the City Manager to authorize any change orders within the approved budget amount which shall not exceed \$5,000 from the City Manager's budget. Motion carried 4-1; Councilmember Strahan dissenting.

Approve Resolution No. 1386-2018 Awarding Bid for the 2018 Water Treatment Plant Backwash Line Realignment Project

City Manager Knopp provided a staff report and explained the project will redirect water plant effluent away from directly entering the Wastewater Treatment Plant. Instead, the effluent will be directed to several pre-existing holding basins where fine materials in the effluent will be allowed to settle before the effluent enters the plant. He said this saves money on the wastewater side and helps the wastewater treatment plant comply with state regulations and creates a more efficient way to process the effluent created in the water treatment process. He commended Water/Roadways Superintendent Jensen for coming up with the idea and increasing the efficiency of the treatment plant.

City Manager Knopp said the City received two (2) bids for the project including a bid from Wahlund Construction in the amount of \$44,800 and one from Wendt Construction in the amount of \$37,475. He added that the City Council appropriated \$150,000 towards modifications to the handling of water plant effluent, which would cover any potential change orders.

Mayor Wilson expressed concern about the \$150,000 appropriation and suggested the project contingency be amended to not exceed \$50,000.

Motion was made by Johnson/Garnes to approve Resolution No. 1386-2018 Awarding the Bid for the 2018 Water Treatment Plant Backwash Line Realignment Project to the lowest responsible and responsive bidder, Wendt Construction, Inc. in the amount of \$37,475, authorizing the City Manager to sign the Notice of Award and Contract Agreement and any change orders within the approved budget not to exceed \$50,000. Motion carried 5-0.

Approve Resolution No. 1387-2018 Awarding Bid for the 2018 Street Striping Project

City Manager Knopp provided a staff report and said the City received only one (1) bid for the 2018 Street Striping Project, which was from Apply-A-Line, LLC in the amount of \$15,795. The project includes \$10,390 for Center St. striping between Wildwood Ave. and Ireland Ave. and an additive item for bike lane striping along Wildwood Ave. from Columbus St. to Monument Road for \$5,405. He noted that \$20,000 was appropriated in the current budget for street striping and recommended approval of the project. He added that the project would improve safety in front of the schools as well as the downtown portion of Wildwood Ave.

Councilmember Strahan questioned the need for the project and asked when the original bike lanes were put in.

Staff responded that they were installed in 2012, which is the reason for the re-striping.

Mayor Pro Tem Johnson commented that many agencies restripe and repaint every year.

Councilmember Garnes said if the City has the means to do it, then it should be done.

Councilmember Strahan addressed the need of a crosswalk at Riverside and Painter St. for kids walking to school.

City Manager Knopp commented that with limited funds it seems the school street should have priority for safety purposes. He noted that Painter St. meets the requirements for the next slurry seal project so staff will be making that recommendation at the appropriate time. He said the crosswalk could possibly be incorporated into the slurry seal project, which is scheduled to take place in 12 or 13 months.

Councilmember Strahan said it seems that the City keeps redoing the same streets when there are a lot of streets in the City that need attention.

City Manager Knopp expressed concern about grinding off the striping to do slurry seal noting that Center St. is not scheduled for slurry seal any time soon.

Mayor Pro Tem Johnson suggested tabling the item until the next regular meeting to allow the Council and staff an opportunity to look at the bike lane on Wildwood Ave. before making a decision. Council concurred.

Second Reading (by title only) and Adoption of Ordinance No. 365-2018 Amending the City's Commercial Cannabis Regulations, Section 17.30.195 of the Rio Dell Municipal Code to Eliminate the City's Requirement for Background Checks

Mayor Wilson stated that the City Attorney provided a legal opinion regarding his concerns about the City retaining ultimate jurisdiction over determining disqualifying offenses and that he is in agreement with the language at this time.

Community Development Director Caldwell provided a brief staff report and said the ordinance was introduced to the Council at their March 20, 2018 regular meeting followed by its recommended second reading and adoption on April 3rd. He said because of Mayor Wilson's concerns, the Council voted to continue the item and refer the issue to the City Attorney for his legal opinion. He said the attorney responded directly to the Councilmembers under "Attorney-client Privileged Communication" following that meeting basically restating what he told staff which was that the City should rely on the State for determining disqualifying offenses for numerous reasons. As such, staff recommends adoption of the ordinance at this time.

A public hearing was opened to receive public comment on the proposed ordinance. There being no public comment, the public hearing closed.

Motion was made by Johnson/Garnes to approve second reading (by title only) and adoption of Ordinance No. 365-2018 Amending the City's Commercial Cannabis Regulations, Section 17.30.195 of the Rio Dell Municipal Code to Eliminate the City's Requirement for Background Checks. Motion carried 5-0.

Second Reading (by title only) and Adoption of Ordinance No. 366-2018 Amending the City's Flood Damage Prevention Regulations, Section 15.15 of the Rio Dell Municipal Code to Reflect the Update of the Flood Insurance Study and Associated Flood Insurance Rate Maps (FIRM)
Community Development Director Caldwell provided a staff report and said as noted at the last meeting staff recently discovered that the City's Flood Regulations still refer to the Federal Emergency Management Agency (FEMA) 1982 Flood Insurance Study and Rate Map (FIRM). The map was updated in 2016 so the City needs to amend its Flood Damage Prevention Regulations to reflect the updated information.

A public hearing was opened to receive public comment on the proposed ordinance. There being no public comment, the public hearing closed.

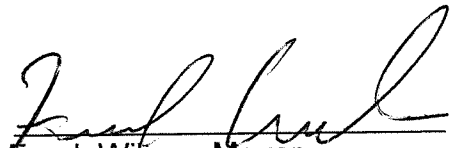
Motion was made by Johnson/Garnes to approve second reading (by title only) and adoption of Ordinance No. 366-2018 amending the City's Flood Damage Prevention Regulations, Section 15.15 of the Rio Dell Municipal Code (RDMC). Motion carried 5-0.

COUNCIL REPORTS/COMMUNICATIONS

There were no Council Reports received.

ADJOURNMENT

Motion was made by Johnson/Garnes to adjourn the meeting at 9:10 p.m. to the April 23, 2018 Budget Study Session beginning at 4:00 p.m. Motion carried 5-0.


Frank Wilson, Mayor

Attest:


Karen Dunham, City Clerk